



ATTORNEY DOCKET NO. 60188-121
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sadashige SUGIURA, et al.

Serial No.: 09/994,936

Filed: November 28, 2001

For: SEMICONDUCTOR DEVICE AND
TESTING METHOD THEREFOR

Group Art Unit: 2811

Examiner: SHOUXIANG HU

#9
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9/11/02

ELECTION UNDER 35 U.S.C. § 121

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement set forth in the Office Action
mailed August 6, 2002, having a shortened statutory period for response set to expire
September 6, 2002, wherein the Examiner required restriction between the following
Species:

- Species 1 - Embodiment of Figs. 2 with or without
Figs. 1A-1C and/or Fig. 3A.
- Species 2 - Embodiment of Figs. 2 with or without
Figs. 1A-1C and/or Fig. 3B.
- Species 3 - Embodiment of Fig. 4 with or without
Figs. 1A-1C.
- Species 4 - Embodiment of Fig. 5 with or without
Figs. 1A-1C and/or Fig. 6.

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Species 5 - Embodiment of Fig. 7 with or without
Figs. 1A-1C.

Applicants provisionally elect Species 1, Embodiment of Fig. 2 with or without Figs. 1A-1C and/or Fig. 3A with claims 1 and 3-5 readable thereon, for initial prosecution on the merits.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: _____

9/6/02

By: _____

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